W.P. No. 3664(SS) 01 (old no. 9526/99):

Hon'ble M.M. Ghildiyal, J.

Heard Sri Manoj Tewari, learned counsel for the petitioner, Sri Ashish Joshi, learned counsel for the Municipal Board, Haldwani and Sri N.P. Sah, learned Standing Counsel for the State.

By the present petition the petitioner has prayed to issue a writ in the nature of certiorari quashing the order dated 26.2.1999 passed by the respondent no. 1. He has further prayed to issue a writ in the nature of mandamus commanding the respondents not to interdere in the peaceful functioning of the petitioner on the Class-IV post of Lab Assistant in Nagar Palika Boys Inter College, Kathgodam (Nainital).

Counsel for the parties have submitted that the controversy raised by means of this writ petition is squarely covered by the judgment of this Court delivered on 10.06.2004 passed in Civil Misc. Writ Petition no. 3577 (SS) 2001 (Smt. Rama Pant vs. The District Magistrate Nainital and others), as such, the present writ petition may also be disposed of on the same terms and observations expressed in the aforesaid judgment.

In view of the aforesaid statement the present writ petition is also disposed of on the same terms and observations made in Civil Misc. Writ Petition no. 3577 (SS) 2001 (Smt. Rama Pant vs. The District Magistrate Nainital and others), delivered on 10.06.2004.

(M.M.G., J.)

12.02.2007:
NCM: